



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 12, 2020

BY ECF

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: *United States v. Ricardo Fabian, 19 Cr. 566 (LTS)*

Dear Judge Swain:

The Court held a status conference in this case on June 26, 2020. At that conference, the Court set a schedule for any pretrial defense motions to be filed by August 10, 2020, instructed the Government to file a letter regarding the need for a pretrial hearing by August 13, 2020, and set a status conference for August 14, 2020, at 10:30 a.m. *See* Dkt. Entry Dated July 1, 2020. The defendant has decided not to file any pretrial motions, and accordingly there is no need for a pretrial hearing. Additionally, the parties have engaged in disposition discussions, and the Government has recently extended a written plea offer to the defendant, which expires on August 26, 2020. Accordingly, the parties jointly respectfully request that the Court adjourn the status conference currently scheduled for August 14, 2020, to a date following August 26, 2020. If the parties reach agreement on a disposition before that date, we will promptly notify the Court.

Because the purpose of this adjournment is to facilitate disposition discussions among the parties, and to give the defendant adequate time to consider the Government's plea offer, the parties jointly submit that the ends of justice served by this continuance outweigh the interests of the defendant and the public in a speedy trial, and request that time be excluded under the Speedy Trial Act from August 14, 2020 to the new date for a status conference set by the Court.

THE APPLICATION IS GRANTED. THE CONFERENCE IS
ADJOURNED TO 9/10/ 2020 AT 4:15 P.M. THE
COURT FINDS PURSUANT TO 18 U.S.C. § 3161(h)(7)(A)
THAT THE ENDS OF JUSTICE SERVED BY AN EXCLUSION OF
THE TIME FROM TODAY'S DATE THROUGH 9/10/2020
OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE
DEFENDANTS IN A SPEEDY TRIAL FOR THE REASONS
STATED ABOVE. DE# 65 RESOLVED. SO ORDERED.

DATED:8/12/2020
/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney for
the Southern District of New York

By: /s/ Thane Rehn
Thane Rehn
Assistant United States Attorney
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cc: Jesse Siegel, Esq. (via ECF)